

COUNTY BOARD OF ZONING APPEAL #05001

TYPE OF APPEAL:

THIS APPEAL IS DIRECTED TO THE BOARD RELATIVE TO A VARIANCE.

Section 4.017(a) of the Lancaster County Zoning resolution requires a **side yard** of 60 feet. A variance of the minimum side yard on the north property line to 26.5 feet is requested.

LOCATION: Generally located northwest of S. 110th St and Gage Road in the Golden Pond Estates subdivision.

ADDRESS: 29000 N. Golden Pond Road

LEGAL: Lot 13, Golden Pond Estates located in the SE 1/4 of Sec. 36, T 7 N, R 7 E, of the 6th P.M., Lancaster County, Nebraska

APPLICANT: Brian Duran
29000 N. Golden Pond Road
Firth, NE 68358
402-791-0144 fax 791-0145

LOT AREA: 20.00 acres, more or less

ZONING: AG Agriculture District

EXISTING LAND USE: An existing house on the site.

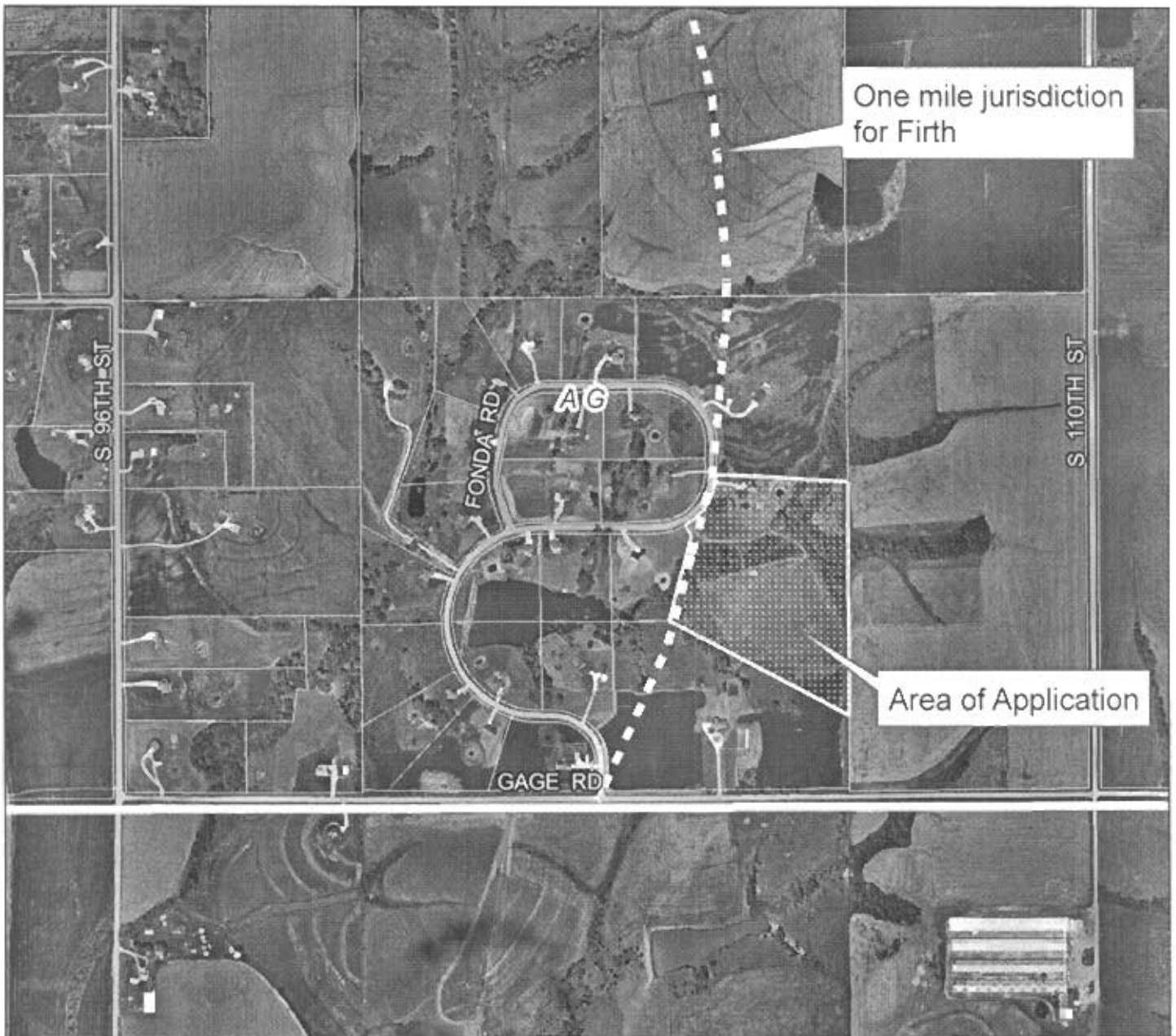
SURROUNDING LAND USE: Acreages surrounding the parcel. Residences to the north and west. This is about one mile east of the Firth Village Limits.

STAFF FINDINGS:

1. A building permit was obtained from Firth and the house built in February 2003. Property pins were found to be located in error and the property was also found to be in the Lancaster County Jurisdiction.
2. On August 22, 2005 the applicant applied for a building permit from Lancaster County to meet county codes. This was denied because it did not meet the County Zoning Regulations for the side yard setback. Approval of a waiver is required for the side yard between the existing house and the north property line.
3. The landowner to the north is unwilling to participate in an adjustment of the north property line to resolve the issue and moving the house would be impractical.
4. The applicant is attempting to clear the record on the lot and house.

Report prepared August 25, 2005

Mike DeKalb
Planner



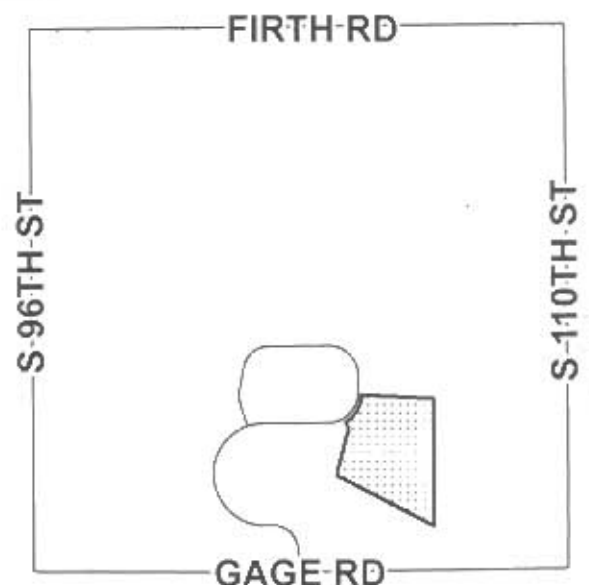
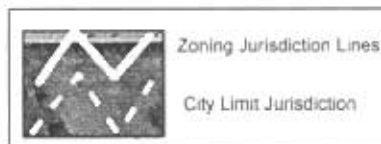
2005 aerial

County Board of Zoning Appeals #05001 29000 N. Golden Pond Road

Zoning:

R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

One Square Mile
Sec. 36 T7N R7E



BRIAN & KERRI DURAN

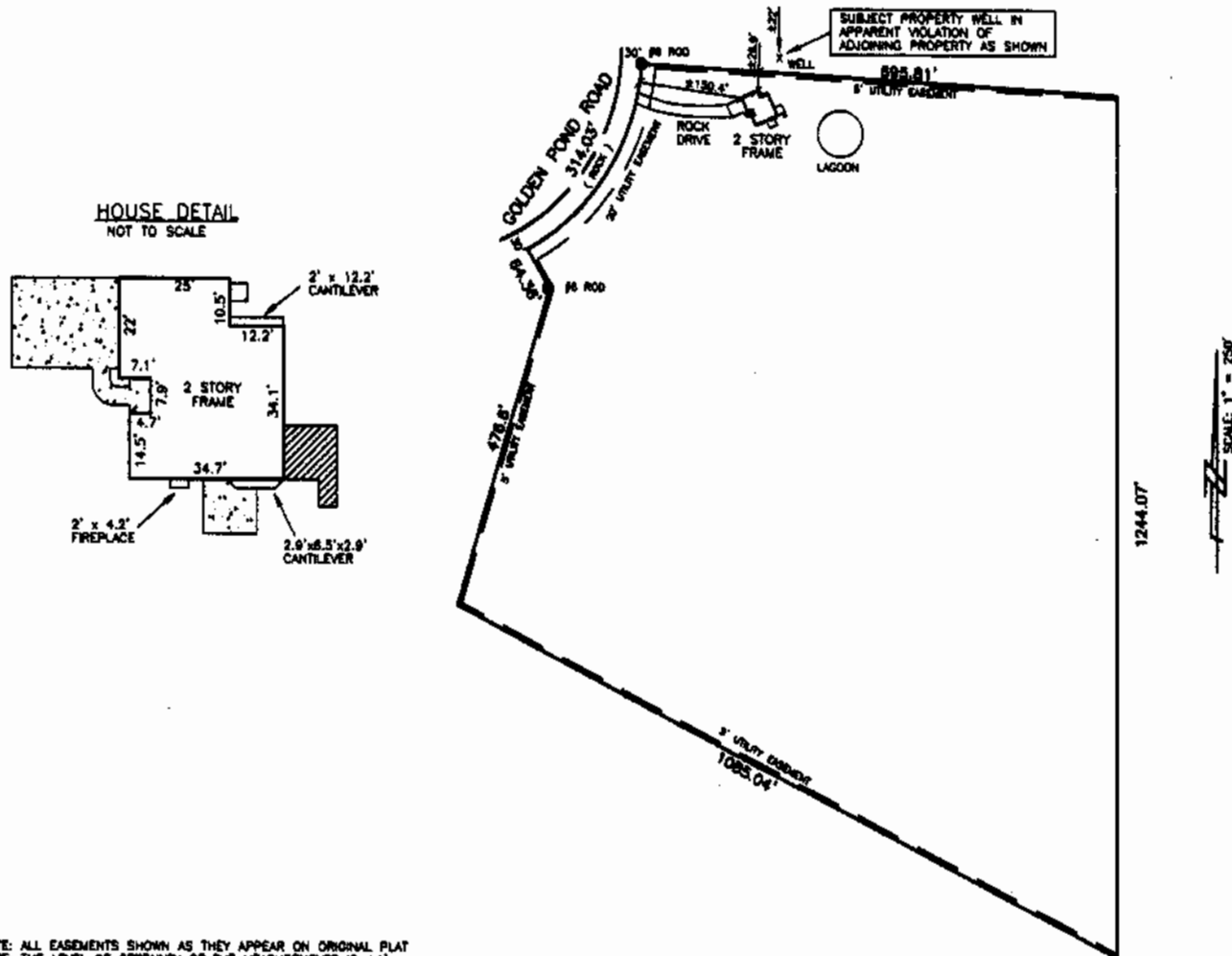
SECURITY FIRST BANK

PROJECT # 0307187

DATE: 7/23/03 B/P: 127-99

29000 GOLDEN POND ROAD

IMPROVEMENT LOCATION REPORT



LEGAL DESCRIPTION: LOT 13, GOLDEN POND ESTATES, LANCASTER COUNTY, NEBRASKA

County Board of Zoning Appeals #05001
229000 N. Golden Pond Road

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229000 N. Golden Pond Road

CBA05001

~~BZA05012~~

PLANNING DEPT. MD DATE OF HEARING _____ CO. BOARD OF APPEALS NO _____

Fee \$50.00 Receipt No. _____ Date _____, 20____

APPEAL TO COUNTY BOARD OF ZONING APPEALS

BOARD OF ZONING APPEALS, Lancaster County, Nebraska

On _____, 20____, the undersigned applied for a building permit to New Construction

Single family home

RECEIVED
AUG 22 2005

Located on Lot 13 Block _____ Addition Golden Pond Sec. _____ Township _____ Range _____

Address 29000 N Golden Pond Have you met with the neighboring properties? Yes _____ No _____

TO BE FILLED IN BY BUILDING OFFICIAL: This permit was denied because Article 4.017(a), County
Zoning Regulations requires a side yard setback of 60 feet. A variance to
reduce the required side yard setback from 60 feet to 26.9 feet is requested.

The above decision(s) of the Building Official is hereby appealed on the grounds that (check and complete all that apply):

☐ The Administrative Official erred by _____

☒ A Variance to (height, area, parking, density) is necessary because the property is peculiar, exceptional, and unusual in the following ways: lot was assumed to be in Firth Jurisdiction.

Building Permit was obtained from Firth. House was built (2/03)

which was after 02. Permit should have been issued from County.

☐ An exception is necessary to: Property lines were found to be incorrect putting house in violation.

1. Reconstruct a non-conforming building for a compelling public necessity because: _____

2. To permit erection or use of a public service corporation for public utilities: _____

3. To interpret provisions where the map does not reflect the street layout on the ground: _____

Contact Person: Brian Duran Address: 29000 Golden Pond Rd.
Firth, NE 68358

Phone #: 402-791-0144 E-mail (if applicable) _____

Staff will post a notification sign in the yard of the property and other officials may visit the site prior to the hearing. Signing this form hereby grants permission to the staff to enter onto property for purposes related to this application.

Signed: Brian Duran 29000 Golden Pond 402-791-0144
Appellant Appellant's Address Phone #

FAX# 791-0145